



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
HABERMANN, et al.

Examiner: **STEADMAN, David J.**

Art Unit: **1652**

Application No.: **10/076,632**

Filed: **February 19, 2002**

Title: **NUCLEIC ACIDS ENCODING HIRUDIN
FUSION PROTEINS AND METHODS
FOR PRODUCING HIRUDIN FUSION
PROTEINS [AMENDED TITLE]**

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INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. 1.56, 1.97 AND 1.98

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Applicants submit herewith patents, publications, and other information of which they are aware, which they believe may be material, as defined in 37 C.F.R. 1.56(b), to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. 1.56(a). While the information referred to in this Information Disclosure Statement may be material pursuant to 37 C.F.R. 1.56(b), the filing of this Information Disclosure Statement is not intended to, pursuant to 37 C.F.R. 1.97(h), constitute an admission that any patent, publication or other information referred to is, or is considered to be, material to the patentability of this invention. Pursuant to 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information exists.

- ☐ (a) This Information Disclosure Statement is filed within the period set forth in §1.97(b) because it accompanies the new patent application submitted herewith, is filed within three months of the filing date of a national application or within three months of the date of entry of the national stage as set forth in §1.491 in an international application, or is believed to be filed before the mailing date of a first Office Action on the merits, whichever event occurs last. However, in the event that the first office action has been mailed, the Commissioner is authorized to charge any fees under 37 C.F.R. 1.17(p) or credit any overpayment to Account No. **18-1982**.

- ☒ (b) This Information Disclosure Statement is filed after the period set forth in 37 C.F.R. 1.97(b), but is believed to be filed before the mailing date of a final action under §1.113 or a notice of allowance under §1.311, whichever occurs first.
- ☐ (1) The undersigned attorney certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement;
- ☐ (2) The undersigned attorney certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned attorney after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this statement; or
- ☒ (3) This Information Disclosure Statement is accompanied by a transmittal letter in which payment of the fee set forth in §1.17(p) and required by 37 C.F.R. 1.97(c) is authorized.

In the Office Action dated May 20, 2004, the Examiner indicated that he did not consider DE 100 33 195 A1 and DE 34 30 556 A1, because these references were not present in the application. The Applicants submit that information now.

German Patent Application No. 100 33 195 corresponds to US Patent Application Publication No. US2002/173620 A1, which the Applicants have attached to this paper.

As to German Patent Application No. 34 30 556, the Applicants provide the following translation of its abstract:

The invention relates to a process for purifying dimethyl terephthalate (DMT). A DMT-containing mixture is used whose DMT content is above the DMT content of the eutectic composition. The DMT-containing mixture is melted and the DMT is allowed to crystallise out by cooling, but without the DMT content in the impurities reaching the eutectic composition.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Joel B. German', written over a horizontal line.

Joel B. German, Reg. No., 48,676
Attorney/Agent for Applicant

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**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
FOR WHICH THE FEE SPECIFIED UNDER 37 C.F.R. 1.97(c) IS REQUIRED**

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Enclosed is an Information Disclosure Statement for which the fee specified in 37 C.F.R. 1.97(c) is required.

Please charge Deposit Account No. **18-1982** in the amount of \$180.00. Two duplicate copies of this sheet are enclosed. The Commissioner is authorized to charge any fees under 37 C.F.R. 1.17(p) or credit any overpayment to Account No. **18-1982**.

Respectfully submitted,

[Signature]
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